

Message Text

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R 101506Z AUG 73

FM SECSTATE WASHDC

TO USLO PEKING

INFO AMEMBASSY TAIPEI

USMISSION USUN NEW YORK

AMCONSUL HONG KONG

C O N F I D E N T I A L STATE 158167

E.O. 11652: GDS

TAGS: OCON, CH

SUBJ: INTERNATIONAL WILLS CONFERENCE

REF: STATE A-3800, PEKING 139

1. THE QUESTION REGARDING INVITATIONS TO PEKING AND TAIPEI TO THE WILLS CONFERENCE RAISES THE LARGER QUESTION OF THE INVITATION FORMULA TO BE USED FOR US-SPONSORED CONFERENCES AND MEETINGS. (THE QUESTION WOULD NOT ARISE IN CASES OF INVITATIONS TO CONFERENCES HOSTED BY THE US ON BEHALF OF THE UNITED NATIONS OR OTHER ORGANIZATIONS SINCE THEY WOULD BE ISSUED TO THE MEMBERSHIP AS DEFINED BY THE CONFIDENTIAL

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ORGANIZATIONS THEMSELVES.)

2. FACTORS AFFECTING THE INVITATION FORMULA FOR US-SPONSORED CONFERENCES INCLUDE A DESIRE A) TO MAINTAIN THE INTEGRITY OF THE VIENNA FORMULA TO THE EXTENT POSSIBLE (I.E. INVITATIONS TO MEMBERS OF THE UN, OF UN SPECIALIZED AGENCIES, THE IAEA AND SIGNATORIES OF ICJ STATUTES); B) TO AVOID OFFENDING PEKING AND/OR TAIPEI UNNECESSARILY; AND C) TO AVOID CRITICISM FROM OTHER COUNTRIES (AND POSSIBLE BOYCOTTING OF CONFERENCES) BECAUSE OF THE INVITATION FORMULA EMPLOYED.

3. OPTIONS WHICH HAVE BEEN UNDER DISCUSSION IN THE DEPARTMENT INCLUDE:

A) INVITATION TO BOTH TAIPEI AND PEKING IN STRICT CONFORMITY WITH OUR INTERPRETATION OF THE VIENNA FORMULA;

B) INVITATION TO NEITHER TAIPEI NOR PEKING UNTIL SUCH TIME AS THE SITUATION CEASES TO BE A PROBLEM;

C) ADOPTING THE UN INTERPRETATION OF THE VIENNA FORMULA AND INVITING ONLY PEKING TO ALL FUTURE CONFERENCES;

D) INVITATION TO EITHER PEKING OR TAIPEI (BUT NOT/BOTH) ON A CASE-BY-CASE BASIS DICTATED BY OUR JUDGMENT AS TO THE IMPORT, INTERESTS AND ANTICIPATED RESULTS OF THE SPECIFIC CONFERENCE.

4. A VARIATION ON OPTION D WOULD INCLUDE A DETERMINATION WHETHER OR NOT WE WISHED TO INFORM THE NON-INVITED PARTY OF OUR DECISION AND THE RATIONALE FOR IT.

5. OPTIONS A AND B WOULD PERHAPS AVOID THE CHARGE OF ARBITRARINESS OR CAPRICIOUSNESS BY THIRD PARTIES BUT WOULD PROBABLY NOT GAIN ANYTHING FROM TAIPEI OR PEKING. OPTION C WOULD SEEM TO BE INAPPROPRIATE IN VIEW OF CONTINUING US DIPLOMATIC RELATIONS WITH THE ROC.

6. OPTION D MAKES THE MOST SENSE FROM A "CHINA POLICY" POINT OF VIEW BUT RISKS CRITICISM FROM SUPPORTERS OF THE PRC AND THEIR POSSIBLE NON-COOPERATION IN SPECIFIC CONFERENCES. (THIS WAS A POTENTIAL RISK WITH THE WILDLIFE CONFERENCE EARLIER THIS YEAR, WHEN AN INVITATION WAS ISSUED
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TO PEKING AND TAIPEI. PEKING DECLINED ON THE GROUNDS THAT IT WOULD NOT ACCEPT AN INVITATION TO A FUNCTION TO WHICH THE "CHIANG KAI-SHEK CLIQUE" WAS SIMULTANEOUSLY INVITED. AS IT TURNED OUT, THERE WERE NO PROTESTS FROM PEKING'S FRIENDS. WHETHER OR NOT THERE WOULD HAVE BEEN PROTESTS HAD PEKING NOT BEEN INVITED AT ALL, IS MOOT.)

7. AS REGARDS THE VARIATION NOTED IN PARA 4 ABOVE, ANY

EXPLANATION TO THE NON-INVITED PARTY COULD BE SELF-DEFEATING IN THE CASE OF THE PRC WHERE FAILURE TO INVITE MIGHT BE NOTED QUIETLY BUT NOT MENTIONED WHEREAS AN EXPLANATION WOULD NECESSARILY OCCASION A RETORT OF THE SORT DESCRIBED PARENTHETICALLY IN PARA 6 ABOVE.

8. BEFORE REACHING A FINAL DECISION ON GUIDANCE TO APPLY IN THE CASE OF THE WILLS CONFERENCE AND FUTURE CASES WE WOULD APPRECIATE YOUR VIEWS AND RECOMMENDATIONS. ROGERS

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